

Notice of Allowability

Application No.

10/812,527

Examiner

Zachary M. Pape

Applicant(s)

LAI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/12/2006.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

DETAILED ACTION

Response to Amendment

The following detailed action is in response to the correspondence dated 1/12/2006.

The claim objection with respect to claim 8 has been withdrawn in view of the amended claims filed 1/12/2006.

The 35 U.S.C. 112 rejection with respect to claim 9 has been withdrawn in view of the amended claims filed 1/12/2006.

Allowable Subject Matter

1. Claims 1-17 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1-10, the allowability resides in the overall structure of the device as recited in independent claim 1 and at least in part because said claim 1 recites, "a cam member located above the supporting portion", "a buckling piece comprising a connecting part...wherein the connecting part moves up through the hole of the supporting portion to pivotally connect with the cam".

The aforementioned limitations in combination with all remaining limitations of claim 1 are believed to render said claim 1 and all claims dependent therefrom (2-10) patentable over the art of record.

2. With respect to claims 11-14, the allowability resides in the overall structure of the device as recited in independent claim 11 and at least in part because said claim 11

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recites, "a cam member located above the supporting portion", "a buckling piece comprising a connecting part moving up through the supporting portion to pivotally connect with the cam".

The aforementioned limitations in combination with all remaining limitations of claim 11 are believed to render said claim 11 and all claims dependent therefrom (12-14) patentable over the art of record.

3. With respect to claims 15-17, the allowability resides in the overall structure of the device as recited in independent claim 15 and at least in part because said claim 15 recites, "a cam member essentially located on said supporting portion", "a buckling piece essentially located below the supporting portion", and "said buckling piece is up and down moved relative to the supporting portion so as to perform a tension or relaxed manner relative to the heat sink"

The aforementioned limitations in combination with all remaining limitations of claim 15 are believed to render said claim 15 and all claims dependent therefrom (16-17) patentable over the art of record.

4. With respect to applicants use of the word essentially, The American Heritage College Dictionary 4th edition on page 478 defines essentially as, "something necessary or indispensable". As such the examiner has interpreted "essentially" to mean that the present device cannot function without both the cam member and the buckling piece located in the positions as detailed in claim 15.

The closest reference to the present invention is believed to be **Lee (US 6,318,452)**.

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5. In the reference, Lee teaches a clip (1) for retaining a heatsink including a main body (10,12), a pressing part (12) a first leg (20), a supporting portion (16), a cam member (30) and handle (32), a buckling piece (20) comprising a connecting part (26, 28) and a second leg (23). Lee fails to teach however that the supporting portion has a hole therein, nor that the connecting part moves up through the hole of the supporting portion to pivotally connect with the cam as required by the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

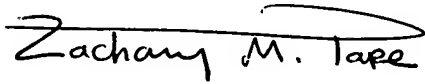
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

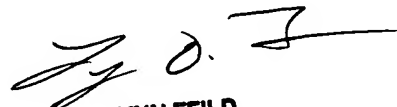
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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